

## Applicant Initiated Interview Request Form

Application No.: 10/563,387 First Named Applicant: David Peter Shaw  
Examiner: Ann M. Schillinger Art Unit: 3774 Status of Application: non-final

### Tentative Participants:

(1) James E. Lake, Reg. No. 44,854 (2) Ann M. Schillinger  
(3) David Isabella (4) \_\_\_\_\_

Proposed Date of Interview: 5/22, 26-29 Proposed Time: 1-5 EDT, PM AM/PM

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej. (112)</u>	<u>1-7, 9</u>	<u>n/a</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej. (103)</u>	<u>1-7, 9-11, 14-18</u>	<u>DiMatteo/Gabbay</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

### Brief Description of Argument to be Presented:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
Applicant/Applicant's Representative Signature

\_\_\_\_\_  
Typed/Printed Name of Applicant or Representative

\_\_\_\_\_  
Registration Number, if applicable

\_\_\_\_\_  
Examiner/SPE Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No..... 10/563,387  
Filing Date ..... January 5, 2006  
Inventor ..... David Peter Shaw  
Group Art Unit ..... 3774  
Examiner..... Ann M. Schillinger  
Customer No. .... 021567  
Attorney's Docket No. .... PL10-002  
Title: Prosthetic Valves for Medical Application

**PROPOSED AMENDMENTS FOR PURPOSE OF INTERVIEW ONLY**

To:           Examiner Ann Schillinger  
              USPTO  
              Fax: 571-273-6652

From:       James E. Lake  
              Tel. 509-624-4276; Fax 509-838-3424  
              Wells St. John P.S.  
              601 W. First Avenue, Suite 1300  
              Spokane, WA 99201-3828

**AMENDMENTS**

**In the Claims:**

Claim 1 (currently amended): A prosthetic valve in the form of a flap valve which includes at least one flap arranged to allow movement of liquid through the valve only in one direction, ~~the or each~~ at least one flap being made of a flexible openwork structure of a medically acceptable metal, wherein the flexible openwork structure is selected from the group consisting of: knitted wire having intermeshing loops and chainmail.

Claim 2 (currently amended): The prosthetic valve as claimed in claim 1 comprised by a valve assembly wherein said valve is mounted upon a peripheral stent and includes a single flap arranged to close against a supporting wall ~~mounted upon a peripheral stent~~.

Claim 3 (previously presented): The prosthetic valve as claimed in claim 1 wherein said valve includes two flaps arranged to close against each other.

Claim 4 (currently amended): The prosthetic valve as claimed in claim 3 comprised by a valve assembly wherein said valve assembly also includes a peripheral stent supporting a wall extending at right angles to the plane of the stent and providing two opposed cutouts in which said ~~the~~ flaps are mounted.

Claim 5 (previously presented): The prosthetic valve as claimed in claim 1 wherein said valve includes three flaps of similar size, arranged to close against each other.

Claim 6 (currently amended): The prosthetic valve as claimed in claim 5 wherein said valve also includes a peripheral rib around the a perimeter of the valve.

Claim 7 (currently amended): The prosthetic valve as claimed in claim 5 comprised by a valve assembly wherein said valve assembly also includes a peripheral stent upon which the three flaps are mounted.

Claim 8 (cancelled).

Claim 9 (previously presented): The prosthetic valve as claimed in claim 1 wherein the medically acceptable metal is titanium or a titanium alloy.

Claim 10 (currently amended): A method of promoting tissue growth and endothelialisation, minimising the risk of foreign body infection following the fitting of a prosthetic valve in a living subject, said method including the provision of a prosthetic valve in the form of a flap valve, which includes at least one flap arranged to allow movement of liquid through the prosthetic valve only in one direction, in which the ~~or each~~ at least one flap is made of a flexible open work structure of a medically acceptable metal, wherein the flexible openwork structure is selected from the group consisting of: knitted wire having intermeshing loops and chainmail.

Claim 11 (previously presented): The method as claimed in claim 10 wherein the prosthetic valve is a heart valve.

Claim 12 (currently amended): The method as claimed in claim 11 wherein the ~~or each~~ at least one flap of the valve is coated with an inert degradable sealing material when the valve is initially fitted, the material preventing leakage through the flexible openwork structure until the living subject develops a coating by endothelisation.

Claim 13 (cancelled).

Claim 14 (previously presented): The method as claimed in claim 10 wherein the medically acceptable metal is titanium or a titanium alloy.

Claims 15-20 (cancelled).

## **REMARKS**

Applicant's objectives are for the Examiner to:

1. Accept the proposed amendments to claims 1, 2, 4, 6, and 7 as overcoming the alleged indefiniteness. The amendments are supported at least by page 2, line 15 and page 4, lines 5-27 of the specification.
2. Explain how the prior art is considered to disclose knitted wire having intermeshing loops or chainmail as in claims 1 and 10.
3. Explain how PTFE, known for its durability, can be considered "degradable" and/or accept the amendment to claim 12 as distinguishing Yang. At least page 5, lines 30-34 supports the proposed amendment to claim 12.